

COMBINED DECLARATION for PATENT APPLICATION
And POWER OF ATTORNEY
English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Nitrosated and Nitrosylated Proton Pump Inhibitors, Compositions and Methods of Use

the specification of which was filed on **February 25, 2000**, as Application Serial No. **09/512,829**.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefit under Title 35, United States Code, §119 (a)-(d) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

Priority Foreign Application(s)			Priority Claimed	
(Number)	(Country)	(Day/Month/Year Filed)	// Yes	// No

I hereby claim the benefit under Title 35, United States code, §119(e) of any United States provisional application(s) listed below.

60/122,111 February 26, 1999

(Application Serial No.) (Filing Date)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

(Application Serial No.)	(Filing Date)	(Status)
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The undersigned hereby appoints(s) the following U.S. attorneys and/or agents to prosecute this application and any division, continuation, continuation-in-part, reexamination or reissue applications thereof, and to transact all business in the Patent and Trademark Office connected therewith:

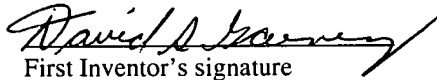
Radha Iyengar, Ph.D., Reg. No. 44,796, of NitroMed, Inc., 12 Oak Park Drive, Bedford, MA 01730, US; and

Hollie L. Baker, Reg. No. 31,321; James B. Lampert, Reg. No. 24,564; Henry N. Wixon, Reg. No. 32,073; Michael J. Bevilacqua, Reg. No. 31,091; Wayne M. Kennard, Reg. No. 30,271; Donald R. Steinberg, Reg. No. 37,241; Wayne A. Keown, Reg. No. 33,923; Ann-Louise Kerner, Reg. No. 33,523; Richard A. Goldenberg, Reg. No. 38,895; Colleen Superko, Reg. No. 39,850; Scott M. Alter, Reg. No. 32,879; Michael A. Diener, Reg. No. 37,122; Gretchen A. Rice, Reg. No. 37,429; Edward D. Grief, Reg. No. 38,898; Keum J. Park, Reg. No. 42,059; Peter M. Dichiara, Reg. No. 38,005; Jason A. Reyes, Reg. No. 41,513; Barbara A. Barakat, Reg. No. 32,190; Janice M. Klunder, Reg. No. 41,121; and Nancy Chiu, Reg. No. 43,545; of Hale and Dorr LLP, 60 State Street, Boston, MA 02109, US or Hale and Dorr LLP, 1455 Pennsylvania Avenue, NW, Washington, DC 20004.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor:

David S. Garvey


First Inventor's signature

4/5/2000
Date

10 Grand Hill Drive, Dover, MA 02030, UNITED STATES


Residence Address

UNITED STATES

Citizenship

Full name of second inventor:

L. Gordon Letts


Second Inventor's signature

4/3/00
Date

12 Abbott Road, Dover, MA 02030

Residence Address

AUSTRALIA

Citizenship

Full name of third inventor:

Stewart K. Richardson

S. K. Richardson
Third Inventor's signature

5/10/00
Date

55 Autumn Drive, Tolland, CT 06084
Residence Address

GREAT BRITAIN
Citizenship

Full name of fourth inventor:

Sang William Tam

Sang William Tam
Fourth Inventor's signature

4/5/2000
Date

148 Pine Street, Dover, MA 02030
Residence Address

UNITED STATES
Citizenship

Full name of fifth inventor:

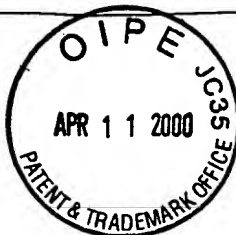
Tiansheng Wang

Tiansheng Wang
Fifth Inventor's signature

4/5/2000
Date

2 Dumbur Way, Concord, MA 01742
Residence Address

PEOPLE'S REPUBLIC OF CHINA
Citizenship



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☐ Departmental File ☐ Secret File

Conveying Party(ies)

☒ Mark if additional names of conveying parties attached

Execution Date
Month Day Year
02242000

Name (line 1) **GARVEY, David S.**

Name (line 2)

Second Party

Execution Date
Month Day Year
02242000

Name (line 1) **LETTIS, L. Gordon**

Name (line 2)

Receiving Party

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is an assignment and the
receiving party is not
domiciled in the United
States, an appointment
of a domestic
representative is attached.
(Designation must be a
separate document from
Assignment.)

Name (line 1) **NitroMed, Inc.**

Name (line 2)

Address (line 1) **12 Oak Park Drive**

Address (line 2)

Address (line 3) **Bedford**

City

MA

State/Country

01730

Zip Code

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

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CONTINUATION
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PATENT

Conveying Party(ies)

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Enter additional Conveying Parties

Name (line 1) TAM, Sang William

Execution Date
Month Day Year

02242000

Name (line 2)

Name (line 1) WANG, Tiansheng

Execution Date
Month Day Year

02242000

Name (line 2)

Name (line 1)

Execution Date
Month Day Year

Name (line 2)

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Application Number(s) or Patent Number(s)

☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

Correspondent Name and Address

Area Code and Telephone Number **202-942-8400**

Name **Edward D. Grieff, Esq.**

Address (line 1) **c/o Hale and Dorr LLP**

Address (line 2) **1455 Pennsylvania Avenue, N.W.**

Address (line 3) **Suite 1000**

Address (line 4) **Washington, D.C. 20004**

Pages

Enter the total number of pages of the attached conveyance document including any attachments.

2

Application Number(s) or Patent Number(s)

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Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year
02 24 2000

Patent Cooperation Treaty (PCT)

Enter PCT application number
only if a U.S. Application Number
has not been assigned.

PCT PCT PCT
PCT PCT PCT

Number of Properties

Enter the total number of properties involved.

1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$ **40.00**

Method of Payment:
Deposit Account

Enclosed ☐ Deposit Account ☒

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

08-0219

Authorization to charge additional fees:

Yes ☒ No ☐

Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Edward D. Grieff, Esq., Reg. No. 38,898

Name of Person Signing

Signature

02/25/2000

Date

ASSIGNMENT

WHEREAS, I, David S. Garvey, being a citizen of the U.S.A., and residing at 10 Grand Hill Drive, Dover, MA 02030; L. Gordon Letts, being a citizen of Australia, and residing at 12 Abbott Road, Dover, MA 02030; Sang William Tam, being a citizen of the U.S.A., and residing at 148 Pine Street, Dover, MA 02030; Tiansheng Wang, being a citizen of the People's Republic of China, and residing at 2 Dumbur Way, Concord, MA 01742; am the inventor of certain new and useful inventions and discoveries, for which application(s) for Letters Patent entitled "NITROSATED AND NITROSYLATED PROTON PUMP INHIBITORS, COMPOSITIONS AND METHODS OF USE " which are being filed herewith with the United States Patent and Trademark Office herewith, and with the United States Patent and Trademark Office as Receiving Office for the Patent Cooperative Treaty;

WHEREAS, NitroMed, Inc., whose address is 12 Oak Park Drive, Bedford, MA 01730, and which, together with its successors and assigns is hereinafter called "ASSIGNEE," is desirous of acquiring the title, rights, benefits, and privileges hereinafter recited;

NOW, THEREFORE, for good and valuable consideration furnished by ASSIGNEE to me, receipt and sufficiency of which I hereby acknowledge, I hereby, without reservations:

1. Assign, transfer, and convey to ASSIGNEE my entire right, title, and interest in and to said inventions and discoveries, said applications for Letters Patent, any and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation, continuation-in-part, continued prosecution applications, and convention applications based in whole, or in part, upon said inventions or discoveries, or upon said applications, and any and all Letters Patents, reissues, reexaminations, and extensions of Letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon, or arise from, said inventions, said discoveries, said applications, and said Letters Patent;
2. Authorize ASSIGNEE to file patent applications in any or all countries on any or all of said inventions and discoveries in my name or in the name of ASSIGNEE or otherwise as ASSIGNEE may deem advisable, under International Conventions or otherwise;
3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments throughout the world to issue or transfer all said Letters Patents to ASSIGNEE, as assignee of the entire right, title, and interest therein or otherwise as ASSIGNEE may direct;
4. Warrant that I have not knowingly conveyed to others any right in said inventions, discoveries, applications, or patents, or any license to use the same, or to make, use, or sell anything embodying or utilizing any of said inventions or discoveries; and that I have good right to assign the same to ASSIGNEE without encumbrance;
5. Bind my heirs, legal representatives, and assigns, as well as myself, to do,

upon ASSIGNEE's request and at ASSIGNEE's expense, but without additional consideration to me or them, all acts reasonably serving to assure that said inventions and discoveries, said patent applications, and said Letters Patents shall be held and enjoyed by ASSIGNEE as fully and entirely as the same could have been held and enjoyed by me, my heirs, legal representatives, and assigns if this Assignment had not been made; and particularly to execute and deliver to ASSIGNEE all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by ASSIGNEE; and to communicate to ASSIGNEE all facts known to me relating to said inventions and discoveries or the history thereof, and to testify as to the same in any court or proceeding; and to furnish ASSIGNEE any and all documents, photographs, models, samples, and other physical exhibits in my control or in the control of my heirs, legal representatives, or assigns which may be useful for establishing the facts of my conceptions, disclosures, and reduction to practice of said inventions and discoveries.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal.

Date: 2/24/00 Signature of Inventor: David S. Garvey
David S. Garvey

Date: Feb 24, 2000 Signature of Inventor: L. Gordon Letts
L. Gordon Letts

Date: 2/24/2000 Signature of Inventor: Sang William Tam
Sang William Tam

Date: 2/24/2000 Signature of Inventor: Tiansheng Wang
Tiansheng Wang